

REMARKS

The present request is submitted in response to the final Office Action dated September 3, 2008, which set a three-month period for response, making this amendment due by December 3, 2008, and with the initial two-month period for response expiring on November 3, 2008.

Claims 1-6 and 8-10 are pending in this application.

In the final Office Action, claims 1-3, 5, 6, and 9 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 5, and 6 of U.S. Patent No. 7,360,526 to Kemmer. Claims 4 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kemmer as applied to claim 1 and further in view of U.S. Patent No. 6,250,286 to Hoenig.

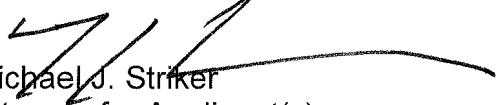
The Examiner noted on page 4 of the final rejection that the prior amendments to claim 1 put the application into condition for allowance if not for the double patenting rejection.

Therefore, in response to the final rejection, the Applicant submits herewith a terminal disclaimer with regard to the cited patent to Kemmer, thus obviating the outstanding rejection and rendering independent claims 1 and 9 allowable, along with their respective dependent claims 2-6 and 8-10.

The application as previously amended is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would

very much welcome a telephone call in order to resolve any outstanding issues in order to expedite placement of the application into condition for allowance.

Respectfully submitted,


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